

ATTORNEY DOCKET NO: 82223-202

EXAMINER Michael A. Willis
ART GROUP 1617
APPLICANT Lorraine Mignault
SERIAL NO: 09/762,232
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FOR Topical Lotion Containing Oatstraw

Commissioner of Patents
Washington, D.C., 20231
U.S.A.

Dear Sir:

Responsive to the Notice of Action dated February 12:

Claims 1-11 and 17-24 are of record.

Claim 23 was withdrawn by the examiner.

Claims 1-11, 17-22 and 24 stand rejected.

Please amend the claims as follows:

1. (twice amended) A topical lotion for relieving pain, swelling or inflammation comprising:
the active ingredient consisting of oatstraw extract, said oatstraw extract prepared by steeping oatstraw in water heated until hot and tiny bubbles have formed.

8. (twice amended) A method of treating pain, swelling, itching or inflammation comprising:

providing a topical lotion the lotion consisting essentially of:
at least 50% oatstraw extract, said oatstraw extract prepared by steeping oatstraw in water heated until hot and tiny bubbles have formed;

at least 25% glycerine; and

0.1-0.2% lavender oil,

the sum of these three components being 100%; and

applying the lotion topically to inflamed, painful or swollen areas.

Cancel claims 10 and 11.

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17. (twice amended) An additive comprising:

a mixture consisting essentially of:

at least 50% oatstraw extract, said oatstraw extract prepared by steeping oatstraw in water heated until hot and tiny bubbles have formed;

at least 25% glycerine; and

0.1-0.2% lavender oil,

the sum of these three components being 100%; and

a suitable carrier.

18. (amended) A hair or body product comprising:

a mixture consisting essentially of:

at least 50% oatstraw extract, said oatstraw extract prepared by steeping oatstraw in water heated until hot and tiny bubbles have formed;

at least 25% glycerine; and

0.1-0.2% lavender oil,

the sum of these three components being 100%; and

a suitable carrier.

20. (amended) A process for preparing a topical lotion comprising:

providing a quantity of oatstraw;

providing [heated] water heated until hot and tiny bubbles have formed;

placing the oatstraw in the heated water;

steeping the oatstraw in the heated water, thereby producing an oatstraw mixture;

filtering the oatstraw mixture, thereby producing an oatstraw extract; and

mixing the oatstraw extract with glycerine and lavender oil, thereby producing a topical lotion.

Cancel claim 23.

Add claim 25.

25. A topical lotion for relieving pain, swelling or inflammation comprising:

the active ingredient consisting of oatstraw extract, said oatstraw extract